UNITED STATES DISTRICT COURT SOUTHERN DISTRICT NEW YORK

	X
MARK LEYSE, individually and on behalf of all others similarly situated,	
Plaintiff,	: : : NOTICE OF MOTION
- against -	: NOTICE OF MOTION :
LIFETIME ENTERTAINMENT SERVICES,	· :
LLC,	: :
Defendant.	:

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law,

Declaration of Sharon L. Schneier, dated January 27, 2016, and all other papers and proceedings heretofore had herein, Defendant Lifetime Entertainment Services, LLC ("Defendant") will move this Court at the United States District Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time designated by the Court, for entry of judgment pursuant to Rule 54 of the Federal Rules of Civil Procedure against Defendant and in favor of Plaintiff Mark Leyse individually, upon the same terms as those set forth in the Offer of Judgment served upon him on January 5, 2016, namely, in the amount of \$1,503.00 plus costs, and an injunction barring Defendant from violating 47 U.S.C. §§ 227(b)(1)(B) and 47 C.F.R. § 64.1200(a)(2) with respect to Plaintiff, and, upon entry of said judgment, to dismiss the Complaint as moot.

Dated: New York, New York January 27, 2016

DAVIS WRIGHT TREMAINE LLP

By: /s/ Sharon L. Schneier Sharon L. Schneier Edward J. Davis Eric J. Feder

1251 Avenue of the Americas, 21st Floor New York, New York 10020

Tel: (212) 489-8230 Fax: (212) 489-8340

Email: sharonschneier@dwt.com

Email: eddavis@dwt.com
Email: ericfeder@dwt.com

Attorneys for Defendant Lifetime Entertainment Services, LLC

To: TODD C. BANK, ATTORNEY AT LAW, PC 119-40 Union Turnpike Fourth Floor Kew Gardens, New York 11415 (718) 520-7125

Counsel to Plaintiff